

# MANDATE

S.D.N.Y. – N.Y.C.  
20-cv-3178  
Liman, J.

## United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 20<sup>th</sup> day of October, two thousand twenty-two.

Present:

Debra Ann Livingston,  
*Chief Judge,*  
Amalya L. Kearse,  
Michael H. Park,  
*Circuit Judges.*

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: Nov 10 2022

In re: Andrew Delaney,


22-1208

*Petitioner.*

Petitioner, pro se, has filed a petition for a writ of mandamus to compel the dismissal of the district court action and the district court's recusal. Petitioner also moves for leave to proceed in forma pauperis ("IFP"). Upon due consideration, it is hereby ORDERED that the IFP motion is GRANTED for the purpose of filing the mandamus petition. It is further ORDERED that the mandamus petition is DENIED because Petitioner has not demonstrated that exceptional circumstances warrant the requested relief. *See Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380–81 (2004).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit


MANDATE ISSUED ON 11/10/2022